

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

PETTERS COMPANY, INC.,

Plaintiff,

vs.

STAYHEALTHY, INC.,
AMERISOURCEBERGEN CORPORATION,
AMERISOURCEBERGEN DRUG
CORPORATION,
AMERISOURCEBERGEN SERVICES
CORPORATION, and
BERGEN BRUNSWIG DRUG COMPANY,

Defendants.

Court File No. for Main Action
03-3210 (JRT/FLN)
(District of Minnesota)

Court Misc. File No. for this Motion
C.A. No. 1:04-mc-10269-DPW
(District of Massachusetts)

NOTICE OF APPEARANCE OF MARK M. WHITNEY, ESQ.

TO THE CLERK OF THE COURT AND ALL PARTIES OF RECORD:

Please enter my appearance as counsel of record for the plaintiff-nonmovant, Petters
Company, Inc., in the above-captioned action.

Dated: October 6, 2004

Respectfully Submitted,

PETTERS COMPANY, INC.,

/s/ Mark M. Whitney

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Co-Counsel for Plaintiff

Dated: October 6, 2004

CERTIFICATE OF SERVICE

This is to certify that a copy of the foregoing document has been sent by regular mail to Mr. Duff Brace, *pro se movant*, 887 Broadway, Hanover, MA 02339, on the 6th day of October, 2004.

/s/ Mark M. Whitney

Mark M. Whitney, Esq.